

EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TENNESSEE STATE CONFERENCE OF
THE N.A.A.C.P., *et al.*,

Plaintiffs,

v.

TRE HARGETT, in his official capacity as
Secretary of State of the State of Tennessee, *et al.*,

Defendants.

Civil Nos. 3:19-cv-365; 3:19-cv-385
Judge Aleta A. Trauger

LEAGUE OF WOMEN VOTERS OF
TENNESSEE, *et al.*,

Plaintiffs,

v.

TRE HARGETT, *et al.*,

Defendants.

DECLARATION OF THOMAS H. CASTELLI

Pursuant to 28 U.S.C. § 1746, I, Thomas H. Castelli, hereby declare as follows:

1. The national American Civil Liberties Union (“ACLU”), ACLU of Tennessee (“ACLU-TN”), Campaign Legal Center (“CLC”), Fair Elections Center (“FEC”), and Sherrard, Roe, Voigt & Harbison, PLC, were retained in 2019 to represent the League of Women Voters of Tennessee Plaintiffs in this matter.

2. The ACLU-TN is a state-wide nonprofit, nonpartisan organization with over 10,000 members dedicated to defending the principles embodied in the Tennessee and U.S. Constitution. and state and federal civil rights laws. The ACLU-TN Foundation is a nonprofit

organization under section 501(c)(3) of the Internal Revenue Code and educates the public about civil liberties and employs lawyers who provide legal representation in cases involving civil liberties.

3. Over the years, the ACLU-TN has represented plaintiffs in Tennessee bringing lawsuits challenging statutes and government practices, including those that unlawfully restrict access to the ballot box or political participation.

Qualifications of ACLU-TN Staff Working on the Case

4. I am the Legal Director of ACLU-TN and have been in this position since March 11, 2013. My practice with the ACLU-TN is devoted exclusively to constitutional and civil rights claims under the Tennessee and U.S. Constitution.

5. I obtained a Bachelor of Arts degree in Political Science from Rhodes College in Memphis Tennessee in 1996. I earned my Juris Doctorate from the University of Tennessee College of Law in 1999.

6. I practiced law in Georgia from 1999 until 2005. I have been admitted to the Bar of the State of Tennessee since 2005 and have practiced in the Federal District Court for the Middle District of Tennessee since 2006.

7. From May 11, 2013 through the present, I have worked full time with ACLU TN as its legal director. I have litigated civil rights cases in this Court: including Atkins, et al. v. Parker, et al., Case No. 3:16-cv-01954; Doe v. Hommrich, et al., Case No. 3:16-cv-00799; FemHealth USA, Inc. v. City of Mount Juliet et al, Case No. 3:19-cv-01141; and Nashville Community Bail Fund v. Gentry, Case No. 3:20-cv-00103.

Attorney Hourly Rates

8. My current hourly rate is \$475. Based on prevailing market rates Nashville, TN \$475 is a reasonable hourly rate for an attorney of my background and experience.

9. The attorney hours spent on this case were reduced because of the assistance of ACLU-TN support staff, including ACLU-TN's paralegal and legal interns. We do not seek compensation for any time spent on this case by paralegals or interns.

Requested Attorneys' Fees

10. Below is a table summarizing all the time for which Plaintiffs are seeking fees in connection with this matter:

<i>Name (position)</i>	<i>Time Spent</i>	<i>Hourly Rate*</i>	<i>Billable Amount</i>
Thomas H. Castelli (attorney)	40.3	\$475	\$19,142.50

11. Reasonable billing judgment was exercised to exclude hours that were not absolutely necessary, were duplicated by other attorneys, or are not adequately documented. In particular, we are not seeking compensation for the following:

- a. Certain hours spent drafting filings or reviewing drafts prepared by other attorneys in the case
- b. Hours spent preparing the fee petition in this case; and
- c. Hours spent on administrative tasks related to the case.

12. ACLU attorneys' time records were kept contemporaneously with the work performed. I have attached the detailed time records Exhibit 1.

Reasonable Litigation Expenses and Costs

13. These expenses were reasonably incurred in the course of providing effective representation to the Plaintiffs, and Plaintiffs' counsel made appropriate efforts throughout the litigation to reduce unnecessary expenses.

14. The hourly rates, hours, and expenses reflected in this affidavit and its attachments are customary and reasonable and were necessarily incurred in representing Plaintiffs in this matter.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 21, 2020.

/s/ Thomas H. Castelli

Thomas H. Castelli, BPR#024849

Legal Director

ACLU Foundation of Tennessee

P.O. Box 120160

Nashville, TN 37212

Tel.: 615-320-7142

tcastelli@aclu-tn.org

EXHIBIT 1

Thomas H. Castelli Hours		
Date	Hours	Description
4/15/2019	1.30	Call with ACLU-VRP re: challenge to voter registration legislation
4/15/2019	0.50	Call with LWV-TN re: challenge to voter registration legislation
4/25/2019	0.80	Call with ACLU-VRP re: challenge to voter registration legislation
4/29/2019	0.50	Call with LWV-TN re: legislation and facts for complaint
3/16/2019	0.20	Email to ACLU-TN VRP re: status of new legislation
4/15/2019	1.20	Call with ACLU-VRP re: legislation moving on voter registration
4/29/2019	0.50	Call with MidSouth re: legislation and facts for Complaint
4/29/2019	0.50	Call with AMAC re: legislation and facts for Complaint
4/29/2019	0.40	Draft summary of facts gathered from Plaintiffs for ACLU-VRP Team
5/2/2019	0.70	Call with AMAC and ACLU-VRP
5/2/2019	1.50	Call with LWV-TN and ACLU-VRP
5/2/2019	0.80	Call with ACLU-VRP re: drafting Complaint
5/3/2019	0.40	Research re: TN administrative rules and regulations on voter registration
5/3/2019	0.40	Call with MidSouth re: facts for Complaint
5/3/2019	0.20	Email to LWV-TN re: questions for allegations in Complaint
5/5/2019	0.30	Call with AMAC re: facts for Complaint
5/6/2019	0.20	Email to MidSouth re: questions for allegations in Complaint
5/6/2019	0.70	Call with ACLU-VRP re: drafting Complaint
5/6/2019	0.10	Email to MidSouth re: draft Complaint
5/6/2019	0.10	Email to AMAC re: draft Complaint
5/6/2019	0.10	Email to LWV-TN re: draft Complaint
5/7/2019	0.50	Review draft Complaint
5/8/2019	1.00	Call with attorney team re: Complaint and filing
5/9/2019	0.50	Review final Complaint for compliance with local rules and final proof
5/9/2019	0.30	File Complaint
5/9/2019	0.40	Draft Summonses and Civil Cover Sheet
5/9/2019	0.10	Email to Court Clerk re: Summonses

5/9/2019	0.50	Review and send NVRA letter
5/15/2019	1.00	Call with attorney team re: amendments to Complaint
5/16/2019	0.60	Draft and file Business Entity Disclosure Statements for Plaintiffs
5/29/2019	1.00	Call with attorney team re: amendments to Complaint
5/29/2019	0.60	Review and edit Motions for Admission Pro Hac Vice
5/30/2019	1.00	Final review and file Motions for Admission Pro Hac Vice
6/7/2019	0.50	Review Motion to Dismiss and Memo in Support
6/10/2019	1.00	Call with potential witness organizations re: effect of statute on voter registration efforts
6/10/2019	0.60	Draft and send email to attorney team reporting on conversation with potential witness organizations
6/20/2019	0.50	Review draft Amended Complaint
6/21/2019	0.40	Review final Amended Complaint and file
6/24/2019	0.10	Review Order from Court re: Motion to Dismiss
6/28/2019	1.00	Call with attorney team re: Case Management Order and Conference
6/28/2019	1.00	Call with attorney team re: Case Management Order and Conference
7/1/2019	0.50	Call with attorney team re: coordination with companion case
7/2/2019	0.30	Call with defense counsel
7/8/2019	0.30	Review Motion to Dismiss Amended Complaint and Memo in Support
7/8/2019	0.10	Review Order from Court resetting Case Management Conference
7/19/2019	0.50	Review draft response to Motion to Dismiss
7/23/2019	0.50	Research for motion and brief on preliminary injunction
7/26/2019	1.00	Call with attorney team re: preliminary injunction planning
7/29/2019	0.40	Review reply brief re: Motion to Dismiss
7/31/2019	0.20	Draft and file Business Entity Disclosure Statements for additional Plaintiffs
8/2/2019	0.30	Review and file Motions for Admission Pro Hac Vice for additional attorneys
8/2/2019	0.30	Draft and file Notice of Withdrawal of Attorney

8/2/2019	0.50	Call with LWV-TN re: case update and Motion for Preliminary Injunction and facts for Declaration
8/5/2019	0.50	Call with AMAC re: Motion for Preliminary Injunction and facts for Declaration
8/5/2019	0.50	Call with MidSouth re: Motion for Preliminary Injunction and facts for Declaration
8/8/2019	0.10	Review Response to NVRA letter
8/21/2019	1.50	Draft Declaration for MidSouth for Motion for Preliminary Injunction
8/22/2019	1.00	Draft Declaration for MidSouth for Motion for Preliminary Injunction
8/28/2019	1.20	Draft final version of Declaration for MidSouth for Motion for Preliminary Injunction
8/30/2019	0.50	Review draft Motion for Preliminary Injunction
9/6/2019	0.10	Email to LWV-TN re: update on case
9/9/2019	0.50	Review Memo and Order denying Motion to Dismiss
9/10/2019	0.40	Review Response brief to Motion for Preliminary Injunction
9/12/2019	0.50	Review Memo and Order granting Preliminary Injunction
10/9/2019	0.30	Review Answer to Complaint
10/22/2019	0.50	Call with attorney team and attorneys from companion case re: Case Management Conference
10/31/2019	0.30	Review and file Motion for Admission Pro Hac Vice for additional attorney
10/31/2019	0.20	Review draft Proposed Case Management Order
11/4/2019	1.50	Case Management Conference
11/7/2019	0.30	Meeting with MidSouth re: case update and developments with MidSouth
11/7/2019	0.20	Email to LWV-TN re: case update
11/12/2019	0.20	Email to ACLU-VRP re: meeting with MidSouth
11/13/2019	0.30	Call with attorney team re: discovery
11/15/2019	0.80	Call with attorney team and attorneys from companion case re: discovery
11/18/2019	0.30	Call with LWV-TN re: information for disclosures
11/27/2019	0.30	Email to attorney Team re: MidSouth status
1/15/2020	0.50	Call with LWV-TN re: issues arising from lawsuit
2/18/2020	0.20	Email to LWV-TN re: information for subpoenas
2/19/2020	0.30	Research re: new legislation

3/19/2020	0.10	Email to ACLU-VRP re: passage of new legislation
3/23/2020	0.30	Call with attorney team re: new legislation
3/23/2020	0.30	Call with attorney team re: legislation
3/24/2020	0.30	Call with LWV-TN re: case update and effect of pending legislation
Total	40.30	